Union Calendar No. 436

110TH CONGRESS 2D SESSION

H. R. 3682

[Report No. 110-693]

To designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 27, 2007

Mrs. Bono introduced the following bill; which was referred to the Committee on Natural Resources

June 5, 2008

Additional sponsors: Mr. Towns and Ms. Lee

June 5, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on September 27, 2007]

A BILL

To designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and

San Jacinto Mountains National Monument, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
- 4 (a) Short Title.—This title may be cited as the
- 5 "California Desert and Mountain Heritage Act of 2008".
- 6 (b) Table of Contents for
- 7 this Act is as follows:
 - Sec. 1. Short title; table of contents.

TITLE I—DESIGNATION AND EXPANSION OF WILDERNESS AREAS

Sec. 101. Definition of Secretary.

Sec. 102. Designation of wilderness, Cleveland and San Bernardino National Forests, Joshua Tree National Park, and Bureau of Land Management land in Riverside County, California.

Sec. 103. Joshua Tree National Park potential wilderness.

Sec. 104. Administration of wilderness.

TITLE II—WILD AND SCENIC RIVER DESIGNATIONS

Sec. 201. Wild and scenic river designations, Riverside County, California.

TITLE III—ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT

Sec. 301. Boundary adjustment, Santa Rosa and San Jacinto Mountains National Monument.

Sec. 302. Technical amendments to the Santa Rosa and San Jacinto Mountains National Monument Act of 2000.

8 TITLE I—DESIGNATION AND EX-

9 PANSION OF WILDERNESS

- 10 **AREAS**
- 11 SEC. 101. DEFINITION OF SECRETARY.
- In this title, the term "Secretary" means—

1	(1) with respect to land under the jurisdiction of
2	the Secretary of Agriculture, the Secretary of Agri-
3	culture; and
4	(2) with respect to land under the jurisdiction of
5	the Secretary of the Interior, the Secretary of the Inte-
6	rior.
7	SEC. 102. DESIGNATION OF WILDERNESS, CLEVELAND AND
8	SAN BERNARDINO NATIONAL FORESTS, JOSH-
9	UA TREE NATIONAL PARK, AND BUREAU OF
10	LAND MANAGEMENT LAND IN RIVERSIDE
11	COUNTY, CALIFORNIA.
12	(a) Agua Tibia Wilderness Additions.—In accord-
13	ance with the Wilderness Act (16 U.S.C. 1131 et seq.), cer-
14	tain land in the Cleveland National Forest and certain land
15	administered by the Bureau of Land Management in River-
16	side County, California, together comprising approximately
17	2,053 acres, as generally depicted on the map titled "Pro-
18	posed Addition to Agua Tibia Wilderness", and dated May
19	9, 2008, is designated as wilderness and is incorporated in,
20	and shall be deemed to be a part of, the Agua Tibia Wilder-
21	ness designated by section 2(a) of Public Law 93-632 (88
22	Stat. 2154; 16 U.S.C. 1132 note).
23	(b) Cahuilla Mountain Wilderness.—In accord-
24	ance with the Wilderness Act (16 U.S.C. 1131 et seq.), cer-
25	tain land in the San Bernardino National Forest. Cali-

- 1 fornia, comprising approximately 5,585 acres, as generally
- 2 depicted on the map titled "Cahuilla Mountain Proposed
- 3 Wilderness", and dated May 1, 2008, is designated as wil-
- 4 derness and, therefore, as a component of the National Wil-
- 5 derness Preservation System, which shall be known as the
- 6 "Cahuilla Mountain Wilderness".
- 7 (c) South Fork San Jacinto Wilderness.—In ac-
- 8 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.),
- 9 certain land in the San Bernardino National Forest, Cali-
- 10 fornia, comprising approximately 20,217 acres, as gen-
- 11 erally depicted on the map titled "South Fork San Jacinto
- 12 Proposed Wilderness", and dated May 1, 2008, is des-
- 13 ignated as wilderness and, therefore, as a component of the
- 14 National Wilderness Preservation System, which shall be
- 15 known as the "South Fork San Jacinto Wilderness".
- 16 (d) Santa Rosa Wilderness Additions.—In ac-
- 17 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.),
- 18 certain land in the San Bernardino National Forest, Cali-
- 19 fornia, and certain land administered by the Bureau of
- 20 Land Management in Riverside County, California, com-
- 21 prising approximately 2,149 acres, as generally depicted on
- 22 the map titled "Santa Rosa-San Jacinto National Monu-
- 23 ment Expansion and Santa Rosa Wilderness Addition",
- 24 and dated March 12, 2008, is designated as wilderness and
- 25 is incorporated in, and shall be deemed to be a part of,

- 1 the Santa Rosa Wilderness designated by section 101(a)(28)
- 2 of Public Law 98–425 (98 Stat. 1623; 16 U.S.C. 1132 note)
- 3 and expanded by paragraph (59) of section 102 of Public
- 4 Law 103-433 (108 Stat. 4472; 16 U.S.C. 1132 note).
- 5 (e) Beauty Mountain Wilderness.—In accordance
- 6 with the Wilderness Act (16 U.S.C. 1131 et seg.), certain
- 7 land administered by the Bureau of Land Management in
- 8 Riverside County, California, comprising approximately
- 9 15,621 acres, as generally depicted on the map titled "Beau-
- 10 ty Mountain Proposed Wilderness", and dated April 3,
- 11 2007, is designated as wilderness and, therefore, as a com-
- 12 ponent of the National Wilderness Preservation System,
- 13 which shall be known as the "Beauty Mountain Wilder-
- 14 ness".
- 15 (f) Joshua Tree National Park Wilderness Ad-
- 16 DITIONS.—In accordance with the Wilderness Act (16
- 17 U.S.C. 1131 et seq.), certain land in Joshua Tree National
- 18 Park, comprising approximately 36,700 acres, as generally
- 19 depicted on the map numbered 156/80,055, and titled
- 20 "Joshua Tree National Park Proposed Wilderness Addi-
- 21 tions", and dated March 2008, is designated as wilderness
- 22 and is incorporated in, and shall be deemed to be a part
- 23 of, the Joshua Tree Wilderness designated by section 1(g)
- 24 of Public Law 94–567 (90 Stat. 2692; 16 U.S.C. 1132 note).

1	(g) Orocopia Mountains Wilderness Addi-		
2	TIONS.—In accordance with the Wilderness Act (16 U.S.C.		
3	1131 et seq.), certain land administered by the Bureau of		
4	Land Management in Riverside County, California, com-		
5	prising approximately 4,635 acres, as generally depicted on		
6	the map titled "Orocopia Mountains Proposed Wilderness		
7	Addition", and dated May 8, 2008, is designated as wilder-		
8	3 ness and is incorporated in, and shall be deemed to be a		
9	part of, the Orocopia Mountains Wilderness as designated		
10	by paragraph (44) of section 102 of Public Law 103-433		
11	(108 Stat. 4472; 16 U.S.C. 1132 note), except that the wil-		
12	derness boundaries established by this subsection in Town-		
13	ship 7 South are intended to exclude—		
14	(1) a corridor 250 feet north of the centerline of		
15	the Bradshaw Trail;		
16	(2) a corridor 250 feet from both sides of the cen-		
17	terline of the vehicle route in the unnamed wash that		
18	flows between the Eagle Mountain Railroad on the		
19	south and the existing Orocopia Mountains Wilder-		
20	ness boundary; and		
21	(3) a corridor 250 feet from both sides of the cen-		
22	terline of the vehicle route in the unnamed wash that		
23	flows between the Chocolate Mountain Aerial Gunnery		
24	Range on the south and the existing Orocopia Moun-		
25	tains Wilderness boundary.		

- 1 (h) Palen/McCoy Wilderness Additions.—In ac-
- 2 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.),
- 3 certain land administered by the Bureau of Land Manage-
- 4 ment in Riverside County, California, comprising approxi-
- 5 mately 22,645 acres, as generally depicted on the map titled
- 6 "Palen-McCoy Proposed Wilderness Additions", and dated
- 7 May 8, 2008, is designated as wilderness and is incor-
- 8 porated in, and shall be deemed to be a part of, the Palen/
- 9 McCoy Wilderness as designated by paragraph (47) of sec-
- 10 tion 102 of Public Law 103-433 (108 Stat. 4472; 16 U.S.C.
- 11 1132 note).
- 12 (i) Pinto Mountains Wilderness.—In accordance
- 13 with the Wilderness Act (16 U.S.C. 1131 et seq.), certain
- 14 land administered by the Bureau of Land Management in
- 15 Riverside County, California, comprising approximately
- 16 24,404 acres, as generally depicted on the map titled "Pinto
- 17 Mountains Proposed Wilderness", and dated February 21,
- 18 2008, is designated as wilderness and, therefore, as a com-
- 19 ponent of the National Wilderness Preservation System,
- 20 which shall be known as the "Pinto Mountains Wilderness".
- 21 (j) Chuckwalla Mountains Wilderness Addi-
- 22 Tions.—In accordance with the Wilderness Act (16 U.S.C.
- 23 1131 et seq.), certain land administered by the Bureau of
- 24 Land Management in Riverside County, California, com-
- 25 prising approximately 12,815 acres, as generally depicted

- 1 on the map titled "Chuckwalla Mountains Proposed Wilder-
- 2 ness Addition", and dated May 8, 2008, is designated as
- 3 wilderness and is incorporated in, and shall be deemed to
- 4 be a part of the Chuckwalla Mountains Wilderness as des-
- 5 ignated by paragraph (12) of section 102 of Public Law
- 6 103-433 (108 Stat. 4472; 16 U.S.C. 1132 note).

7 (k) Maps and Descriptions.—

- 8 (1) IN GENERAL.—As soon as practicable after
 9 the date of the enactment of this Act, the Secretary
 10 shall file a map and legal description of each wilder11 ness area and wilderness addition designated by this
 12 section with the Committee on Natural Resources of
 13 the House of Representatives and the Committee on
 14 Energy and Natural Resources of the Senate.
 - (2) Force of LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal description.
- 20 (3) PUBLIC AVAILABILITY.—Each map and legal
 21 description filed under paragraph (1) shall be filed
 22 and made available for public inspection in the ap23 propriate office of the Secretary.
- 24 (1) UTILITY FACILITIES AND CORRIDORS.—The wil-25 derness areas and wilderness additions designated by this

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- 1 section are intended to exclude rights of way for existing
- 2 utility facilities, such as power, gas, and telecommuni-
- 3 cations lines, and associated structures and access roads,
- 4 and existing designated utility corridors. Nothing in this
- 5 section or the Wilderness Act shall be construed to prohibit
- 6 construction, operation, and maintenance, using standard
- 7 industry practices, of existing utility facilities located out-
- 8 side of the wilderness areas and wilderness additions des-
- 9 ignated by this section.
- 10 SEC. 103. JOSHUA TREE NATIONAL PARK POTENTIAL WIL-
- 11 **DERNESS.**
- 12 (a) Designation of Potential Wilderness.—Cer-
- 13 tain land in the Joshua Tree National Park, comprising
- 14 approximately 43,300 acres, as generally depicted on the
- 15 map numbered 156/80,055, and titled "Joshua Tree Na-
- 16 tional Park Proposed Wilderness Additions", and dated
- 17 March 2008, is designated potential wilderness and shall
- 18 be managed by the Secretary of the Interior insofar as prac-
- 19 ticable as wilderness until such time as the land is des-
- 20 ignated as wilderness pursuant to subsection (b).
- 21 (b) Designation as Wilderness.—The land des-
- 22 ignated potential wilderness by subsection (a) shall be des-
- 23 ignated as wilderness and incorporated in, and be deemed
- 24 to be a part of, the Joshua Tree Wilderness designated by
- 25 section 1(g) of Public Law 94–567 (90 Stat. 2692; 16

- U.S.C. 1132 note), effective upon publication by the Secretary of the Interior in the Federal Register of a notice 3 that— 4 (1) all uses of the land within the potential wil-5 derness prohibited by the Wilderness Act (16 U.S.C. 6 1131 et seg.) have ceased; and (2) sufficient inholdings within the boundaries of 7 8 the potential wilderness have been acquired to estab-9 lish a manageable wilderness unit. (c) MAP AND DESCRIPTION.— 10 11 (1) In general.—As soon as practicable after 12 the date on which the notice required by subsection 13 (b) is published in the Federal Register, the Secretary 14 shall file a map and legal description of the land des-15 ignated as wilderness and potential wilderness by this 16 section with the Committee on Natural Resources of 17 the House of Representatives and the Committee on 18 Energy and Natural Resources of the Senate. 19 (2) FORCE OF LAW.—The map and legal descrip-20 tion filed under paragraph (1) shall have the same 21 force and effect as if included in this title, except that 22 the Secretary may correct errors in the map and legal 23 description.
- 24 (3) PUBLIC AVAILABILITY.—Each map and legal 25 description filed under paragraph (1) shall be filed

1	and made available for public inspection in the ap-
2	propriate office of the Secretary.
3	SEC. 104. ADMINISTRATION OF WILDERNESS.
4	(a) Management.—Subject to valid existing rights,
5	the land designated as wilderness or as a wilderness addi-
6	tion by this title shall be administered by the Secretary in
7	accordance with the Wilderness Act (16 U.S.C. 1131 et seq.),
8	except that—
9	(1) any reference in that Act to the effective date
10	of that Act shall be deemed to be a reference to—
11	(A) the date of the enactment of this Act; or
12	(B) in the case of the wilderness addition
13	designated by subsection (b) of section 513, the
14	date on which the notice required by such sub-
section is published in the Federal Register,	
16	(2) any reference in that Act to the Secretary of
17	Agriculture shall be deemed to be a reference to the
18	Secretary that has jurisdiction over the land.
19	(b) Incorporation of Acquired Land and Inter-
20	ESTS.—Any land within the boundaries of a wilderness
21	area or wilderness addition designated by this title that is
22	acquired by the United States shall—
23	(1) become part of the wilderness area in which
24	the land is located: and

1	(2) be managed in accordance with this title, the
2	Wilderness Act (16 U.S.C. 1131 et seq.), and any
3	other applicable law.
4	(c) Withdrawal.—Subject to valid rights in existence
5	on the date of enactment of this Act, the land designated
6	as wilderness by this title is withdrawn from all forms of—
7	(1) entry, appropriation, or disposal under the
8	public land laws;
9	(2) location, entry, and patent under the mining
10	laws; and
11	(3) disposition under all laws pertaining to min-
12	eral and geothermal leasing or mineral materials.
13	(d) Fire Management and Related Activities.—
14	(1) In general.—The Secretary may take such
15	measures in a wilderness area or wilderness addition
16	designated by this Act as are necessary for the control
17	and prevention of fire, insects, and diseases (includ-
18	ing the use of prescribed burning, priority treatments,
19	or fuels reduction) in accordance with section $4(d)(1)$
20	of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
21	House Report 98–40 of the 98th Congress.
22	(2) Funding priorities.—The designation of
23	wilderness areas and wilderness additions by this title
24	is not intended to alter the priorities afforded the

- land so designated in allocating funds for fire and re lated fuels management.
- 3 (3) Revision and Development of Local Fire 4 MANAGEMENT PLANS.—As soon as practicable after 5 the date of the enactment of this Act, the Secretary 6 shall amend the local fire management plans that 7 apply to the Santa Rosa Wilderness and Agua Tibia 8 Wilderness, and prepare local fire management plans 9 for the Beauty Mountain Wilderness, Cahuilla Moun-10 tain Wilderness, and South Fork San Jacinto Wilder-11 ness Area, to identify appropriate local officials to 12 take such actions in the wilderness areas as are nec-13 essary for fire prevention and watershed protection 14 consistent with paragraph (1), including best man-15 agement practices for fire pre-suppression and fire 16 suppression measures and techniques.
 - (4) STATE OR LOCAL AGENCIES.—Consistent with paragraph (1) and other applicable Federal law, the Secretary may delegate by written agreement primary fire fighting authority and related public safety activities to an appropriate State or local agency.
- (e) GRAZING.—Grazing of livestock in a wilderness area or wilderness addition designated by this title shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and

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- 1 the guidelines set forth in House Report 96-617 to accom-
- 2 pany H.R. 5487 of the 96th Congress.
- 3 (f) Native American Uses and Interests.—
- 4 (1) EFFECT OF DESIGNATION.—Nothing in the 5 designation of the Cahuilla Mountain Wilderness by 6 this title affects the unique cultural artifacts and sa-7 cred sites of the Indian tribes that are contained 8 within that wilderness area, as identified by Indian 9 tribes and the Forest Service.
 - (2) Access and use.—To the extent practicable, the Secretary shall ensure access to the Cahuilla Mountain Wilderness by members of an Indian tribe for traditional cultural purposes. In implementing this subsection, the Secretary, upon the request of an Indian tribe, may temporarily close to the general public use of one or more specific portions of the wilderness area in order to protect the privacy of traditional cultural activities in such areas by members of the Indian tribe. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996), commonly referred to as the American Indian Religious Freedom Act, and the Wilderness Act (11 U.S.C. 1131 et seg.).

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1	(3) Indian tribe defined.—In this subsection,
2	the term "Indian tribe" means any Indian tribe,
3	band, nation, or other organized group or community
4	of Indians which is recognized as eligible by the Sec-
5	retary of the Interior for the special programs and
6	services provided by the United States to Indians be-
7	cause of their status as Indians.
8	TITLE II—WILD AND SCENIC
9	RIVER DESIGNATIONS
10	SEC. 201. WILD AND SCENIC RIVER DESIGNATIONS, RIVER
11	SIDE COUNTY, CALIFORNIA.
12	Section 3(a) of the Wild and Scenic Rivers Act (16
13	U.S.C. 1274(a)) is amended by adding at the end the fol-
14	lowing new paragraphs:
15	"() North Fork San Jacinto River, Cali-
16	FORNIA.—The following segments of the North Fork San
17	Jacinto River in the State of California, to be administered
18	by the Secretary of Agriculture:
19	"(A) The 2.12-mile segment from the source of
20	the North Fork San Jacinto River at Deer Springs in
21	Mt. San Jacinto State Park to the State Park bound-
22	ary, as a wild river.
23	"(B) The 1.66-mile segment from the Mt. San
24	Jacinto State Park boundary to the Lawler Park

1 boundary in section 26, township 4 south, range 2 2 east, San Bernardino meridian, as a scenic river. "(C) The 0.68-mile segment from the Lawler 3 4 Park boundary to its confluence with Fuller Mill 5 Creek, as a recreational river. 6 "(D) The 2.15-mile segment from its confluence 7 with Fuller Mill Creek to .25 miles upstream of the 8 5S09 road crossing, as a wild river. 9 "(E) The 0.6-mile segment from .25 miles upstream of the 5S09 Road crossing to its confluence 10 11 with Stone Creek, as a scenic river. 12 "(F) The 2.91-mile segment from the Stone Creek 13 confluence to the northern boundary of section 17, 14 township 5 south, range 2 east, San Bernardino me-15 ridian, as a wild river. 16 "() Fuller Mill Creek, California.—The following segments of Fuller Mill Creek in the State of California, to be administered by the Secretary of Agriculture: 18 19 "(A) The 1.2-mile segment from the source of 20 Fuller Mill Creek in the San Jacinto Wilderness to 21 the Pinewood property boundary in section 13, town-22 ship 4 south, range 2 east, San Bernardino meridian, 23 as a scenic river. 24 "(B) The 0.9-mile segment in the Pine Wood 25 property, as a recreational river.

- 1 "(C) The 1.4-mile segment from the Pinewood
- 2 property boundary in section 23, township 4 south,
- 3 range 2 east, San Bernardino meridian, to its con-
- 4 fluence with the North Fork San Jacinto River, as a
- 5 scenic river.
- 6 "() Palm Canyon Creek, California.—The 8.1-
- 7 mile segment of Palm Canyon Creek in the State of Cali-
- 8 fornia from the southern boundary of section 6, township
- 9 7 south, range 5 east, San Bernardino meridian, to the San
- 10 Bernardino National Forest boundary in section 1, town-
- 11 ship 6 south, range 4 east, San Bernardino meridian, to
- 12 be administered by the Secretary of Agriculture as a wild
- 13 river, and the Secretary shall enter into a cooperative man-
- 14 agement agreement with the Agua Caliente Band of
- 15 Cahuilla Indians to protect and enhance river values.
- 16 "(__) Bautista Creek, California.—The 9.8-mile
- 17 segment of Bautista Creek in the State of California from
- 18 the San Bernardino National Forest boundary in section
- 19 36, township 6 south, range 2 east, San Bernardino merid-
- 20 ian, to the San Bernardino National Forest boundary in
- 21 section 2, township 6 south, range 1 east, San Bernardino
- 22 meridian, to be administered by the Secretary of Agri-
- 23 culture as a recreational river.".

1	TITLE III—ADDITIONS AN	VD
2	TECHNICAL CORRECTIONS T	[O]
3	SANTA ROSA AND SA	N
4	JACINTO MOUNTAINS N	'A-
5	TIONAL MONUMENT	
6	SEC. 301. BOUNDARY ADJUSTMENT, SANTA ROSA AND	SAN
7	JACINTO MOUNTAINS NATIONAL MONUME	ENT.
8	Section 2 of the Santa Rosa and San Jacinto Mo	oun-
9	tains National Monument Act of 2000 (Public Law 1	06-
10	351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is amended	l by
11	adding at the end the following new subsection:	
12	"(e) Expansion of Boundaries.—In addition to	the
13	land described in subsection (c), the boundaries of the	Na-
14	tional Monument shall include the following lands ide	nti-
15	fied as additions to the National Monument on the r	nap
16	titled 'Santa Rosa-San Jacinto National Monument	Ex-
17	pansion and Santa Rosa Wilderness Addition', and de	ated
18	March 12, 2008:	
19	"(1) The 'Santa Rosa Peak Area Monument	Ex-
20	pansion'.	
21	"(2) The 'Snow Creek Area Monument Exp	oan-
22	sion'.	
23	"(3) The 'Tahquitz Peak Area Monument	Ex-
24	pansion'.	

1	"(4) The 'Southeast Area Monument Expansion',
2	which is designated as wilderness in section $512(d)$,
3	and is thus incorporated into, and shall be deemed
4	part of, the Santa Rosa Wilderness.".
5	SEC. 302. TECHNICAL AMENDMENTS TO THE SANTA ROSA
6	AND SAN JACINTO MOUNTAINS NATIONAL
7	MONUMENT ACT OF 2000.
8	Section 7(d) of the Santa Rosa and San Jacinto
9	Mountains National Monument Act of 2000 (Public Law
10	106–351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is amended
11	by striking "eight" and inserting "a majority of the ap-
12	pointed".

Union Calendar No. 436

110TH CONGRESS H. R. 3682

[Report No. 110-693]

To designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes.

June 5, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed